

REMARKS

Claims 1, 3, 6, 10, 12, 14-18, 20 and 21 have been amended. Claims 13 and 23-29 have been cancelled. Minor corrections have been made to the specification. Reexamination and reconsideration are respectfully requested.

Initially, Applicants have amended claims 1, 3, 6, 10, 12, 14-18, 20 and 21 to obviate the claim objections and rejections made under 35 U.S.C. §112, second paragraph.

Additionally, Applicants have amended the disclosure in accordance with the objections noted by the Examiner. Accordingly, Applicants respectfully submit the specification and claims are now in compliance with the strictures of 35 U.S.C. §112, first and second paragraphs.

In the Office Action, claims 1-6 and 12 were rejected as being anticipated by SAMUELS (US 4,609,285). Further, dependent claims 7-9 were rejected as obvious over SAMUELS in view of JAGUSCH et al. (US 4,549,843). Finally, claims 10, 11 and 13-22 were rejected as obvious over SAMUELS in view of BATTIG et al. (US 4,583,847). In view of the clarifying amendments made with respect to independent claim 1 and the following remarks, Applicants respectfully traverse these rejections.

Applicants' claimed invention recites a substrate holder (for example 8) that comprises a one-piece frame having a flat upper surface (for example 42, see Fig. 3). Three support elements (for example 34) on which are mounted spheres upon which the substrate rests are provided. The spacing from the upper surface of the spheres to the flat upper surface of the substrate holder is substantially

equal to a standard thickness of the substrate type being used. The spacing thereby defines a calibrating spacing for the standard thickness.

In view of the above claimed substrate holder, for every substrate type used, a separate substrate holder is used in order to have a defined spacing from the upper surface of the spheres to the flat upper surface of the substrate holder that is substantially equal to a standard thickness of the substrate type being used. Accordingly, this novel substrate holder is used in a measuring instrument which performs a comparison of the defined calibrating spacing with the actual thickness of the substrate used by measuring focus differences as described in Applicants' specification (see, for example, page 3, line 27 - page 4, line 1).

By contrast, SAMUELS describes a wafer support plate for a photolithographic apparatus. Hence, as the Examiner acknowledges, SAMUELS discloses a substrate holder for a substrate. However, SAMUELS does not disclose or suggest the feature of a "one-piece frame having a flat upper surface" as alleged by the Examiner. Indeed, SAMUELS' alignment pins 24, formed on the upper surface as shown in Figure 2, protrude over the surface 11. Hence, the frame 13 does not have a flat upper surface.

Moreover, SAMUELS does not disclose or suggest the feature wherein the spacing from the upper surface of the spheres to the flat upper surface of the substrate holder is substantially equal to a standard thickness of the substrate type being used. Indeed, as clearly shown in Figure 1, the upper surface of spheres 22 is in the same plane as the upper surface 11 of the holder 10. Hence, there is no spacing that is substantially equal to a standard thickness of the

substrate type being used. Of course, one skilled in the art would have no reason to modify SAMUELS in the manner recited in Applicants' claims other than to construct a substrate holder usable in Applicants' recited method.

In view of the above, Applicants submit claim 1 is patentable over SAMUELS, whether taken alone or in combination with the prior art.

Regarding the prior art, for that matter, JAGUSCH merely describes a bar code 231 on the outer surface of a cassette cover in which masks are stored. (See JAGUSCH, Fig. 5 and col. 4, lines 53-54). JAGUSCH does not disclose or suggest applying a code on the masks themselves. If the masks are taken out of the cassette they cannot be identified and can be re-stored in the wrong box by a machine error or by a human error.

Regarding BATTIG et al., a mirror body of an X/Y carriage as discussed by the Examiner provides no motivation on the application of a substrate holder, other than the one disclosed, into the described X/Y carriage.

In view of the above, Applicants submit claims 1-12 and 14-22 are now in condition for allowance. An early notice to that effect is solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and



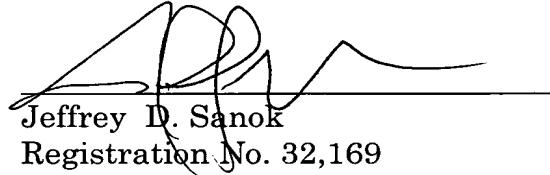
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Respectfully submitted,

January 12, 2004



Jeffrey D. Sanok
Registration No. 32,169

A handwritten signature of "Jeffrey D. Sanok" is written over a horizontal line. Below the signature, the text "Registration No. 32,169" is printed.

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

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